

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MCKENNA DANILO BERNARDO,  
  
Defendant.

CASE NO. CR20-0114-JCC  
  
ORDER

This matter comes before the Court on the Government's motion (Dkt. No. 57) for a final order of forfeiture for the following property:

1. One Apple iPad, serial number F9FZD2LQMDG1;
2. One Apple iPhone;
3. One SanDisk 16GB Memory Card; and
4. Any and all images of child pornography, in whatever format and however stored.

The Court, having reviewed the Government's motion, the supporting documents, and the other pleadings and papers on file, HERBY FINDS that entry of a final order of forfeiture is appropriate because:

- In the Plea Agreement that Defendant Bernardo entered on November 25, 2020, he agreed to forfeit his interest in the above-identified property because it was used to commit or to promote his commission of his *Possession of Child Pornography*, in

violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2), to which he entered a guilty plea (Dkt. No. 35, ¶ 12);

- On April 19, 2021, the Court entered a Preliminary Order of Forfeiture, finding the above-identified property forfeitable under 18 U.S.C. § 2253(a) and forfeiting the Defendant's interest in it (Dkt. No. 45);
- Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure ("Fed. R. Crim. P.") 32.2(b)(6)(C), (*see* Dkt. No. 49), and provided direct notice to a potential claimant as required by Fed. R. Crim. P. 32.2(b)(6)(A), (*see* Dkt. No. 57-1); and
- The time for filing third-party petitions has expired, and none were filed.

NOW, THEREFORE, THE COURT ORDERS:

1. No right, title, or interest in the above-listed property exists in any party other than the United States;

2. The property is fully and finally condemned and forfeited, in its entirety, to the United States; and

3. The United States Department of Homeland Security, and/or its representatives, are authorized to dispose of the property in accordance with the law.

IT IS SO ORDERED this 12th day of November 2021.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE